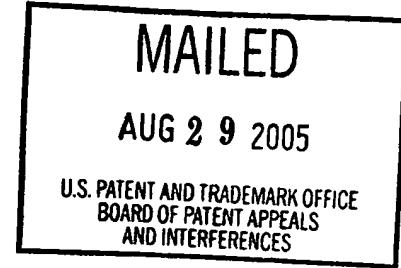


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DANIEL A. FORD,
REINER KRAFT and
GAURAV TEWARI



Application 09/513,646

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on June 23, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner for matters requiring attention prior to docketing as an appeal.

Upon review of the Examiner's Answer mailed February 24, 2005, it is found the Answer is non-compliant with the New Rules set forth in 37 CFR § 41.39 effective September 13, 2004.

- (1) Evidence Appendix;
- (2) Related Proceedings Appendix.

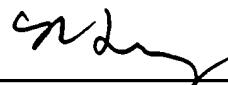
Also, the "Evidence Relied Upon" is incorrect. It needs to lists patents, publications, non-patent references, etc. applied in the rejections on appeal.

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- (1) to submit a revised Examiner's Answer to include all the proper headings as required;
- (2) have a complete copy of the new Examiner's Answer and any subsequent answer scanned into the record; and
- (3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

Craig R. Feinberg
Program and Resource Administrator
(571) 272-9797

Leonard T. Guzman
IBM Corporation

Application 09/513,646

Leonard T. Guzman
IBM Corporation
650 Harry Road
San Jose, CA 95120

CRF/cam